

# City Commission of Arkansas City - Regular Meeting Minutes

The Arkansas City Board of City Commissioners met in regular session at **5:30 p.m. Monday, January 10, 2022**, in the Commission Room at City Hall, located at 118 W. Central Ave. in Ark City.

Mayor **Scott Rogers** called the meeting to order. Commissioners also present at roll call were Commissioners **Kanyon Gingher, Duane L. Oestmann, Jay Warren** and **Karen Welch**.

City employees present were City Manager **Randy Frazer**, City Attorney **Larry Schwartz**, City Clerk **Lesley Shook**, Public Information Officer **Andrew Lawson**, Public Services Superintendent **Tony Tapia**, Interim Fire Chief **Les Parks**, EMS Director **Jeri Smith**, Finance Director/Treasurer **Jennifer Waggoner**, Accountant **Amy Roberts**, Human Resources Assistant **Marla McFarland** and Principal Planner **Josh White**.

Arkansas City Police Department personnel in attendance included Police Chief **Eric Burr**, Captain of Support Services **Anthony Rider**, Lt. **Wade Hammond**, Lt. **John Merz** and Sgt. **Corey Combs**.

Citizens observing in person or via GoToMeeting included **Brittany Carder, Gil Espino, Paisley Howerton, Brandon Jellings, Sarah Jellings**, Commissioner-elect **Charles Jennings, Mendy Pfannenstiel, Sandy Randel, Diane Sparks, Roger Sparks**, Commissioner-elect **Diana Spielman, Landon West, Tom Wheatley** and Cowley CourierTraveler reporter **John Shelman**.

Commissioner Warren offered the opening prayer. Mayor Rogers led the Pledge of Allegiance.

## Approval of the Agenda

Commissioner Oestmann made a motion to approve the agenda as presented. Commissioner Gingher seconded the motion. A voice vote was **unanimous** in favor of the motion.

Mayor Rogers declared the agenda **approved** as presented.

## Recognition of Visitors

Police Chief Burr recognized four recently promoted Police Department officers, all of whom were in attendance – Capt. **Anthony Rider**, Lt. **Wade Hammond**, Lt. **John Merz** and Sgt. **Corey Combs**.

## Consent Agenda

Commissioner Warren made a motion to approve the consent agenda, consisting of the following:

1. Approving the **December 21, 2021**, regular meeting minutes as written.
2. Approving the **December 29, 2021**, special call meeting minutes as written.

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3. Approving **Resolution No. 2022-01-3454**, authorizing public meetings of the Governing Body to attend **Land Bank Board of Trustees** meetings at **5 p.m. Tuesday, January 18, 2022**, and at **5 p.m. Tuesday, February 1, 2022**, in the Commission Room at City Hall.
4. Ratifying Mayor Rogers' appointments of **Brandon Jellings, Kyle Lewis, and Tom Wheatley** to the **Planning Commission** and **Board of Zoning Appeals**.
5. Ratifying Mayor Rogers' reappointments of **Gary Hale** to the **Northwest Community Center Advisory Board** and **Mike Munson** to the **Public Building Commission**.

Commissioner Welch amended and seconded the motion. A voice vote was **unanimous** in favor of the motion. Mayor Rogers declared the consent agenda **approved** as presented.

## Old Business

### 2022 Employee Manual

City Clerk Shook presented for discussion a second reading of a resolution adopting by reference the **Personnel Policies and Guidelines Manual** for the City, to become effective **January 1, 2022**.

Human Resources Assistant McFarland said she still needs to make a few additional changes to the manual, based on input and questions from the commissioners, before it is ready to be approved.

Mayor Rogers declared the item **tabled** until **February 1, 2022**, with no action taken on it.

## Commission Transition

Mayor Rogers presented Commissioner Oestmann and Commissioner Welch with plaques honoring their terms of service.

Mayor Rogers declared the current commission adjourned *sine die*, and Commissioner Oestmann and Commissioner Welch stepped down from the dais.

City Clerk Shook administered Oaths of Office to Commissioners Jennings, Spielman and Warren.

Mayor **Scott Rogers** called the meeting back to order. Commissioners also present at roll call were Commissioners **Kanyon Gingher, Charles Jennings, Diana Spielman** and **Jay Warren**.

## New Business

### New Mayor

City Clerk Shook presented for discussion annual reorganization item No. 1, selection of the **mayor**. Commissioner Warren made a motion to appoint **Commissioner Gingher** as mayor for **2022**.

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Mayor Rogers seconded the motion. A voice vote was **unanimous** in favor of the motion. Mayor Rogers declared the motion **approved**. Mayors Rogers and Gingher exchanged seats.

Mayor Gingher recognized the leadership and service of Mayor Rogers during the previous year.

## New Vice Mayor

Mayor Gingher presented for discussion annual reorganization item No. 2, selection of a **vice mayor**.

Mayor Gingher made a motion to appoint **Commissioner Spielman** as vice mayor for **2022**.

Commissioner Warren seconded the motion. A voice vote was **unanimous** in favor of the motion. Mayor Gingher declared the motion **approved** and congratulated Vice Mayor Spielman.

## Strother Field Commission

Mayor Gingher presented for discussion annual reorganization item No. 3, the appointment of three commissioners as voting *ex officio* representatives of Ark City on the **Strother Field Commission**.

Commissioner Warren made a motion to reappoint **Commissioner Rogers** and **Commissioner Warren**, and also to appoint **Commissioner Jennings**, as representatives on the Strother Field Commission. Commissioner Spielman seconded the motion.

A voice vote was **unanimous** in favor of the motion. Mayor Gingher declared the motion **approved**.

## Cowley First

Mayor Gingher presented for discussion annual reorganization item No. 4, the designation of a nonvoting *ex officio* representative to the **Cowley County Economic Development Partnership**.

Mayor Gingher made a motion to appoint **Commissioner Spielman** to the Cowley First coordinating council. Commissioner Warren seconded the motion.

A voice vote was **unanimous** in favor of the motion. Mayor Gingher declared the motion **approved**.

## Regional Economic Area Partnership

Mayor Gingher presented for discussion annual reorganization item No. 5, the designation of a commissioner as a voting member of the **Regional Economic Area Partnership (REAP)** of South-Central Kansas and either a commissioner or City Manager Frazer to serve as an alternate member.

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Mayor Gingher made a motion to appoint **Commissioner Jennings** as a voting member and reappoint **Frazer** as an alternate member of REAP. Commissioner Rogers seconded the motion.

A voice vote was **unanimous** in favor of the motion. Mayor Gingher declared the motion **approved**.

### Arkansas City Public Library Board of Trustees

Mayor Gingher presented for discussion annual reorganization item No. 6, the appointment of a commissioner as a voting *ex officio* member of the **Ark City Public Library Board of Trustees**.

Commissioner Gingher made a motion to appoint **Commissioner Warren** to the Arkansas City Public Library Board of Trustees, with **Commissioner Rogers** serving as an alternate.

Commissioner Jennings seconded the motion. A voice vote was **unanimous** in favor of the motion.

Mayor Gingher declared the motion **approved**.

### Visit Ark City Board of Trustees

Mayor Gingher presented for discussion annual reorganization item No. 7, the appointment of a commissioner as a voting *ex officio* member of the **Visit Ark City Board of Trustees**.

Commissioner Rogers made a motion to reappoint **Commissioner Gingher** to the Visit Ark City Board of Trustees. Commissioner Warren seconded the motion.

A voice vote was **unanimous** in favor of the motion. Mayor Gingher declared the motion **approved**.

### Cherokee Strip Land Rush Museum Board of Trustees

Mayor Gingher presented for discussion annual reorganization item No. 8, the designation of a nonvoting *ex officio* representative to the **Cherokee Strip Land Rush Museum Board of Trustees**. (Mayor Gingher already is a voting member of this board and thus cannot also be on it *ex officio*.)

Mayor Gingher made a motion to reappoint **Commissioner Warren** to the Cherokee Strip Land Rush Museum Board of Trustees. Commissioner Rogers seconded the motion.

A voice vote was **unanimous** in favor of the motion. Mayor Gingher declared the motion **approved**.

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## Official City Newspaper Resolution No. 2022-01-3455

Mayor Gingher presented for discussion annual reorganization item No. 9, the designation of the **official City newspaper** for the publication of various legal notices as required by Kansas statute.

Commissioner Rogers made a motion to designate **The Cowley CourierTraveler** as the City's official newspaper for publication of legal notices. Commissioner Jennings seconded the motion.

A voice vote was **unanimous** in favor of the motion. Mayor Gingher declared the motion **approved** and given **Resolution No. 2022-01-3455**.

## Official City Depositories

Mayor Gingher presented for discussion annual reorganization item No. 10, the designation of **official City depositories** for City funds.

Commissioner Spielman made a motion to designate **RCB Bank** as the City's primary depository for banking services, with **Community National Bank & Trust, The Stock Exchange Bank** and **Union State Bank** also serving as potential depositories. Commissioner Warren seconded the motion.

A voice vote was **unanimous** in favor of the motion. Mayor Gingher declared the motion **approved**.

## Sybrant Warehouse IRBs Resolution No. 2022-01-3456

City Clerk Shook presented for discussion a resolution approving an adoption of the Board of Cowley County Commissioners' **Resolution 2021-17**, regarding the issuance of taxable Industrial Revenue Bonds (IRBs) to finance the acquiring, constructing and equipping of a commercial facility to be located within **3 miles** of the City of Arkansas City limits.

City Manager Frazer said that because the location of the warehouse addition to be constructed by Jim Sybrant is within 3 miles of the city limits, the state's IRB statutes require approval by the City.

The City may take one of three actions: (1) approve the issuance by the county of the IRBs by resolution; (2) take no action, in which case the City is deemed to approve the issuance of the IRBs seven days after the regular meeting; or (3) vote to deny the approval of the issuance by the county.

Commissioner Warren made a motion to approve the resolution as presented. Commissioner Rogers seconded the motion. A voice vote was **unanimous** in favor of the motion.

Mayor Gingher declared the motion **approved** and given **2022-01-3456**.

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## Evergy Grant of Right-of-Way Resolution No. 2022-01-3457

City Clerk Shook presented for discussion a resolution authorizing the City to execute a Grant of Right-of-Way Easement Agreement with **Evergy Kansas South, Inc.**, regarding expansion of its existing right-of-way.

City Manager Frazer said Evergy is expanding its transmission line right-of-way from the ADM East Sub-Station to Radio Lane along the U.S. 77 bypass. In consideration for this, Evergy is proposing right-of-way settlements in the amount of **\$30,000.00**.

Commissioner Rogers made a motion to approve the resolution as presented. Commissioner Warren seconded the motion. A voice vote was **unanimous** in favor of the motion.

Mayor Gingher declared the motion **approved** and given **2022-01-3457**.

## Paris Park Pool Evaluation Resolution No. 2022-01-3458

City Clerk Shook presented for discussion a resolution approving a proposal submitted by **Kuhn Mechanical**, of Arkansas City, to perform a mechanical evaluation of the **Paris Park Pool**, for an amount not to exceed **\$10,000.00**.

City Manager Frazer said the intention of the proposed work is to determine the condition of the pool's mechanical systems and recommend corrections of any deficiencies in order to maintain a sanitary and code compliant public swimming pool.

The evaluation also will include an X-ray of the concrete bottom around the pool's main drain. This is a noninvasive process that will use ground-penetrating radar to see in and beneath the concrete, to assess any damage or soil erosion that might compromise the pool's structural integrity.

Commissioner Spielman made a motion to approve the resolution as presented. Commissioner Jennings seconded the motion. A voice vote was **unanimous** in favor of the motion.

Mayor Gingher declared the motion **approved** and given **2022-01-3458**.

## City Manager's Report on Upcoming Activities

City Manager Frazer provided the commissioners with the following reminders and updates:

- There will be a **special reception** to honor outgoing Mayor Rogers and incoming Mayor Gingher immediately following this meeting.

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- The next **RISE Cowley** steering committee meeting will be at **10 a.m. January 11** via Zoom.
- The next quarterly **Traffic Safety Committee** meeting will be at **10 a.m. January 21** at USD 470's Avery Family Learning Center, located at 2500 N. 15<sup>th</sup> St. in northwest Arkansas City.
- The next City Commission study session will be at **noon January 14** in Frazer's office.
- City Hall and all other City offices will be closed **January 17** in observance of **Martin Luther King Jr. Day**. There will be no recycling offered at Strother Field on **January 15**.
- The City Commission will convene as the Land Bank Board of Trustees at **5 p.m. January 18** in the commission room at City Hall, prior to its next regular meeting at **5:30 p.m.**
- Frazer passed out copies of a **2022 legislative update** from **Kansas Municipal Utilities**.
- City Commission training for **municipal water systems** will be available **January 19**.
- Local Government Day will be from **2:30 to 7 p.m. January 26** at the Statehouse in Topeka.
- Several architecture students from Kansas State University and South Dakota State University will be in Ark City on **February 5** for a downtown **visioning study** at the Burford.
- The **Kansas Rural Water Rally** has been postponed until sometime in **April** due to COVID.
- The state permit has been approved for the **East Kansas Avenue archaeological survey**.

## Other Business

Police Chief Burr provided an update on the recent cleanup efforts at the **West Chestnut bridge**.

## Adjournment

Commissioner Warren made a motion to adjourn the meeting. Commissioner Rogers seconded the motion. A voice vote was **unanimous** in favor of the motion. Mayor Gingher declared the meeting adjourned at **6:06 p.m.**

**THE CITY OF ARKANSAS CITY  
BOARD OF CITY COMMISSIONERS**

\_\_\_\_\_  
Scott Rogers, Mayor

## **ATTEST:**

\_\_\_\_\_  
Lesley Shook, City Clerk

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Kanyon Gingher, Mayor

## **Prepared by:**

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Andrew Lawson, Public Information Officer